

IN THE MATTER OF:

Complainant,

ILLINOIS BELL TELEPHONE COMPANY,

CHARGE NO(S): 2009CF0727
EEOC NO(S): 21BA83097
ALS NO(S): 10-0122

NOTICE

You are hereby notified that the Illinois Human Rights Commission has not received timely exceptions to the Recommended Order and Decision in the above named case. Accordingly, pursuant to Section 8A-103(A) and/or 8B-103(A) of the Illinois Human Rights Act and Section 5300.910 of the Commission's Procedural Rules, that Recommended Order and Decision has now become the Order and Decision of the Commission.

Entered this 1st day of April 2011

N. KEITH CHAMBERS
EXECUTIVE DIRECTOR

3. Respondent appeared at the May 12 initial status hearing through counsel. Complainant did not appear, either personally or through counsel.

4. By order dated May 12, 2010, the next status hearing was scheduled for June 9, 2010. The May 12 order warned Complainant that she risked dismissal of her case if she did not appear at the June 9 status hearing. Respondent served a copy of the May 12 order upon Complainant at her last known address.

5. Neither Complainant nor an attorney on her behalf appeared at the June 9 status hearing. Accordingly, Respondent was granted leave to file this Motion.

6. Respondent served a copy of this Motion upon Complainant at her last known address. Although Complainant was duly served with Respondent's Motion, she never filed a response.

CONCLUSIONS OF LAW

1. Complainant has failed to prosecute her case, which has unreasonably delayed the proceedings in this matter.

2. As a result of Complainant's failure to prosecute her case, this case should be dismissed.

DISCUSSION

Complainant has failed to appear at two consecutive status hearings. Prior to missing her second status hearing, Complainant was warned that her failure to appear could result in the dismissal of her case. Furthermore, Complainant has not responded to this Motion or provided any justification whatsoever regarding her failure to prosecute her case. It appears that Complainant simply has abandoned her claim.

The Commission routinely dismisses abandoned claims. See, e.g., Diaz and Sun Steel, IHRC, ALS No. 07-688, March 17, 2009 and Leonard and Solid Matter, Inc., IHRC, ALS No. 4942, August 25, 1992. The Commission also dismisses cases where complainants fail to appear at dates scheduled for hearing or status, as a complainant's failure to appear unreasonably delays proceedings before the Commission. See, e.g., Stewart and SBC

Midwest, IHRC, ALS No. 04-227, March 22, 2006 and Jackson and Chicago Firefighters Union Local No. 2, IHRC, ALS No. 8193, September 29, 1997.

Complainant's failure to prosecute her case has unreasonably delayed the proceedings in this matter. Therefore, this case should be dismissed.

RECOMMENDATION

Based on the foregoing, it is recommended that Respondent's Motion be granted, and that the complaint and underlying charge against Respondent be dismissed in their entirety with prejudice.

HUMAN RIGHTS COMMISSION

BY: _____

**LESTER G. BOVIA, JR.
ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE LAW SECTION**

ENTERED: July 23, 2010